

THIS ORDER RELATES TO A
HEARING HELD ON
AUGUST 15, 2022

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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IN RE:

Chapter 13
Case No. 122-40525-ESS

MARIA FIGUEROA,

ORDER DISMISSING CASE

Debtor.

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UPON the July 29, 2022 written application of Krista M. Preuss, Chapter 13 Trustee, (the “Trustee”) seeking entry of an Order dismissing the instant Chapter 13 case pursuant to 11 U.S.C. §1307(c) and due notice of the aforesaid application having been given to all necessary parties; and

WHEREAS, on August 15, 2022, the Trustee by her Staff Attorney appeared in support thereof and no one appeared on behalf of the Debtor; and

WHEREAS, Debtor did not file written opposition to the Trustee’s Motion to Dismiss as required by E.D.N.Y. LBR 9013-1(b); and

WHEREAS, the Debtor’s proposed plan is not sufficiently funded to pay secured claims in full as required by 11 U.S.C. §1325(a)(5); and

WHEREAS, the Debtor failed to commence making Chapter 13 plan payments to the Trustee, as required by 11 U.S.C. §1326(a)(1); and

WHEREAS, the Debtor failed to comply with 11 U.S.C. §521(e)(2)(A)(i) in that the Debtor has failed to provide the Trustee with a copy of a federal income tax return or transcript for the most recent year 7 days before the first meeting of creditors; and

WHEREAS, the Debtor failed to comply with the disclosure requirements of E.D.N.Y. LBR 2003-1; and

WHEREAS, the Debtor failed to appear and be examined at the Section 341 Meeting of Creditors as required by 11 U.S.C. §343; and

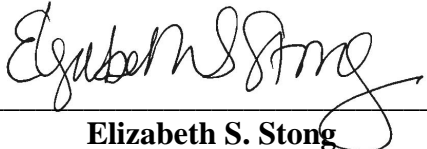
WHEREAS, based upon the findings of fact and conclusions of law as stated on the record, cause

exists to dismiss this case pursuant to 11 U.S.C. §1307(c); it is accordingly

ORDERED, that the instant Chapter 13 case be dismissed pursuant to 11 U.S.C. §1307(c) of the Bankruptcy Code.

**Dated: Brooklyn, New York
September 7, 2022**




Elizabeth S. Stong
United States Bankruptcy Judge